

**INITIAL STATEMENT OF REASONS**  
No Child Left Behind Teacher Requirements

**SECTIONS 6100, 6101, 6102, 6103, 6104, 6110, 6111, 6112, 6115, 6116, 6120, 6125, and 6126.**

**SPECIFIC PURPOSE OF THE REGULATIONS.**

The proposed regulations identify the “rigorous state test” that federal law requires each new to the profession elementary teacher pass, and outlines the “high objective uniform state standard of evaluation” that can be used to qualify “not new to the profession teachers as “highly qualified.” The proposed regulations also define several key phrases to assist school district in complying with the federal law.

**NECESSITY/RATIONALE**

Federal law under the No Child Left Behind Act (NCLB) requires that all teachers of core academic subjects meet the federal definition of “highly qualified teacher” no later than the end of the 2005-2006 school year. Schools that receive Title I funds are currently required to hire only teachers that meet the federal definition of “highly qualified teacher.” Core academic subjects include English, reading/language arts, mathematics, science, foreign languages, civics and government, economics arts, history, and geography (NCLB Section 9101).

While federal law defines the requirements for “highly qualified teacher,” some details regarding how the definition is applied in each State must also be determined. Existing State law and these proposed regulations are intended to provide the detail necessary to meet the NCLB Teacher Requirements in California.

The proposed regulations are necessary to implement the requirements of the federal No Child Left Behind Act. Specifically, the proposed regulations are necessary to identify the “rigorous state test” that federal law requires each new to the profession elementary teacher pass, and outline the “high objective uniform state standard of evaluation” that federal law provides to qualify “not new to the profession” teachers as “highly qualified.” The proposed regulations also define several key phrases to assist school districts in complying with the federal law. These details are necessary to assist school districts meet the federal law and allow California to receive and retain federal funding under the federal Title I, Part A.

The proposed regulations are:

**Article 1. General**

Article 1 provides California specific definitions of key words and phrases in the federal law.

## **Article 2. Elementary Level Teachers**

Article 2 provides California specific details for meeting the federal requirements for “new” and “not new” to the profession elementary teachers.

## **Article 3. Middle and High School Level Teachers**

Article 3 provides California specific details for meeting the federal requirements for “new” and “not new” to the profession middle and high school teachers.

## **Article 4. Teachers Not Meeting NCLB Teacher Requirements**

Article 4 identifies the California permits and authorizations that would not meet the federal requirements.

## **Article 5. One Time Compliance Article**

Article 5 clarifies that compliance with the federal requirements must only be accomplished once per subject or grade span taught.

## **Article 6. Teachers from Out-of-State**

Article 6 clarifies that California will accept another State’s determination that a teacher has met the NCLB Teacher Requirements for a particular subject or grade span taught.

## **TECHNICAL, THEORETICAL, AND/OR EMIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The State Board of Education (State Board) did not rely upon any other technical, theoretical, or empirical studies, reports or documents in proposing the adoption of this regulation.

## **REASONABLE ALTERNATIVES TO THE REGULATION AND THE AGENCY’S REASONS FOR REJECTING THOSE ALTERNATIAVES.**

No other alternatives were presented to or considered by the State Board.

## **REASONABLE ALTERNATAIVE TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.**

The State Board has not identified any alternatives that would lessen any adverse impact on small business.

## **EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

The State Board has made an assessment and determined that the adoption of the proposed regulations would not have a significant adverse economic impact on any business in the State of California.

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